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UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT 717 MADISON PLACE, N.W. WASHINGTON, D.C. 20439

PETER R. MARKSTEINER CLERK OF COURT TELEPHONE: 202-275-8000

September 14, 2017

Nicholas A. Brown Greenberg Traurig LLP 4 Embarcadero Center, Suite 3000 San Francisco, CA 94111

RE: Personal Audio, LLC v. Electronic Frontier Fdtn. (CAFC Appeal No. 16-1123)

Dear Counsel:

The court invites a response from the appellee to the combined petition for panel rehearing and rehearing en banc filed by the appellant in this matter.

Please file your response(s) in accordance with Fed. Cir. Rules 35 and 40 on or before September 28, 2017.

Very truly yours,

/s/ Peter R. Marksteiner Peter R. Marksteiner Clerk of Court

cc: Jeremy S. Pitcock